

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
MIDLAND/ODESSA DIVISION

AUSTIN HAMBLIN and KISKA HAMBLIN	§	
	§	
vs.	§	
	§	NO: 7:25-cv-00245
MARTIN COUNTY SHERIFF'S	§	
DEPARTMENT, BRAD INGRAM,	§	
ANDERS DAHL, KELSEY BROWN,	§	
RORY GAMMONS, AND	§	
WESLEY PHELPS	§	

DEFENDANTS' ANSWER TO PLAINTIFF'S FIRST AMENDED COMPLAINT

TO THE HONORABLE JUDGE OF SAID COURT:

COME NOW, Martin County Sheriff's Department, Brad Ingram, Anders Dahl, Kelsey Brown, Rory Gammons, Wesley Phelps, Defendants, in their official capacity, in the above-styled and numbered cause, and files this their Answer to Plaintiffs' First Amended Complaint, and would respectfully show the Court as follows:

1. Defendants deny the allegations in paragraph 1 of Plaintiffs' First Amended Complaint.
2. Defendants admit the allegations in paragraph 2 of Plaintiffs' First Amended Complaint.
3. Defendants admit the allegations in paragraph 3 of Plaintiffs' First Amended Complaint.
4. Defendants admit the allegations in paragraph 4 of Plaintiffs' First Amended Complaint.
5. Defendants admit the allegations in paragraph 5 of Plaintiffs' First Amended Complaint.
6. Defendants admit the allegations in paragraph 6 of Plaintiffs' First Amended Complaint.

Complaint.

7. Defendants admit the allegations in paragraph 7 of Plaintiffs' First Amended Complaint.

8. Defendants admit the allegations in paragraph 8 of Plaintiffs' First Amended Complaint.

9. Defendants admit the allegations in paragraph 9 of Plaintiffs' First Amended Complaint.

10. Defendants admit the allegations in paragraph 10 of Plaintiffs' First Amended Complaint.

11. Defendants admit the allegations in paragraph 11 of Plaintiffs' First Amended Complaint.

12. Defendants admit the allegations in paragraph 12 of Plaintiffs' First Amended Complaint.

13. Defendants admit the allegations in paragraph 13 of Plaintiffs' First Amended Complaint.

14. Defendants admit the allegations in paragraph 14 of Plaintiffs' First Amended Complaint.

15. Defendants deny the allegations in paragraph 15 of Plaintiffs' First Amended Complaint.

16. Defendants deny the allegations in paragraph 16 of Plaintiffs' First Amended Complaint.

17. Defendants deny the allegations in paragraph 17 of Plaintiffs' First Amended Complaint.

18. Defendants deny the allegations in paragraph 18 of Plaintiffs' First Amended Complaint.

19. Defendants deny the allegations in paragraph 19 of Plaintiffs' First Amended Complaint.
20. Defendants deny the allegations in paragraph 20 of Plaintiffs' First Amended Complaint.
21. Defendants deny the allegations in paragraph 21 of Plaintiffs' First Amended Complaint.
22. Defendants deny the allegations in paragraph 22 of Plaintiffs' First Amended Complaint.
23. Defendants deny the allegations in paragraph 23 of Plaintiffs' First Amended Complaint.
24. Defendants deny the allegations in paragraph 24 of Plaintiffs' First Amended Complaint.
25. Defendants deny the allegations in paragraph 25 of Plaintiffs' First Amended Complaint.
26. Defendants deny the allegations in paragraph 26 of Plaintiffs' First Amended Complaint.
27. Defendants deny the allegations in paragraph 27 of Plaintiffs' First Amended Complaint.
28. Defendants deny the allegations in paragraph 28 of Plaintiffs' First Amended Complaint.
29. Defendants deny the allegations in paragraph 29 of Plaintiffs' First Amended Complaint.
30. Defendants deny the allegations in paragraph 30 of Plaintiffs' First Amended Complaint.
31. Defendants deny the allegations in paragraph 31 of Plaintiffs' First Amended Complaint.

Complaint.

32. Defendants deny the allegations in paragraph 32 of Plaintiffs' First Amended Complaint.
33. Defendants deny the allegations in paragraph 33 of Plaintiffs' First Amended Complaint.
34. Defendants deny the allegations in paragraph 34 of Plaintiffs' First Amended Complaint.
35. Defendants deny the allegations in paragraph 35 of Plaintiffs' First Amended Complaint.
36. Defendants deny the allegations in paragraph 36 of Plaintiffs' First Amended Complaint.
37. Defendants deny the allegations in paragraph 37 of Plaintiffs' First Amended Complaint.
38. Defendants deny the allegations in paragraph 38 of Plaintiffs' First Amended Complaint.
39. Defendants deny the allegations in paragraph 39 of Plaintiffs' First Amended Complaint.
40. Defendants deny the allegations in paragraph 40 of Plaintiffs' First Amended Complaint.
41. Defendants admit the allegations in paragraph 41 of Plaintiffs' First Amended Complaint.
42. Defendants deny the allegations in paragraph 42 of Plaintiffs' First Amended Complaint.
43. Defendants deny the allegations in paragraph 43 of Plaintiffs' First Amended Complaint.

44. Defendants deny the allegations in paragraph 44 of Plaintiffs' First Amended Complaint.
45. Defendants deny the allegations in paragraph 45 of Plaintiffs' First Amended Complaint.
46. Defendants deny the allegations in paragraph 46 of Plaintiffs' First Amended Complaint.
47. Defendants deny the allegations in paragraph 47 of Plaintiffs' First Amended Complaint.
48. Defendants deny the allegations in paragraph 48 of Plaintiffs' First Amended Complaint.
49. Defendants deny the allegations in paragraph 49 of Plaintiffs' First Amended Complaint.
50. Defendants deny the allegations in paragraph 50 of Plaintiffs' First Amended Complaint.
51. Defendants deny the allegations in paragraph 51 of Plaintiffs' First Amended Complaint.
52. Defendants deny the allegations in paragraph 52 of Plaintiffs' First Amended Complaint.
53. Defendants deny the allegations in paragraph 53 of Plaintiffs' First Amended Complaint.
54. Defendants deny the allegations in paragraph 54 of Plaintiffs' First Amended Complaint.
55. Defendants deny the allegations in paragraph 55 of Plaintiffs' First Amended Complaint.
56. Defendants deny the allegations in paragraph 56 of Plaintiffs' First Amended Complaint.

Complaint.

57. Defendants deny the allegations in paragraph 57 of Plaintiffs' First Amended Complaint.

58. Defendants deny the allegations in paragraph 58 of Plaintiffs' First Amended Complaint.

59. Defendants deny the allegations in paragraph 59 of Plaintiffs' First Amended Complaint.

60. Defendants deny the allegations in paragraph 60 of Plaintiffs' First Amended Complaint.

61. Defendants deny the allegations in paragraph 61 of Plaintiffs' First Amended Complaint.

62. Defendants deny the allegations in paragraph 62 of Plaintiffs' First Amended Complaint.

63. Defendants deny the allegations in paragraph 63 of Plaintiffs' First Amended Complaint.

64. Defendants deny the allegations in paragraph 64 of Plaintiffs' First Amended Complaint.

65. Defendants deny the allegations in paragraph 65 of Plaintiffs' First Amended Complaint.

66. Defendants deny the allegations in paragraph 66 of Plaintiffs' First Amended Complaint.

67. Defendants deny the allegations in paragraph 67 of Plaintiffs' First Amended Complaint.

68. Defendants deny the allegations in paragraph 68 of Plaintiffs' First Amended Complaint.

69. Defendants deny the allegations in paragraph 69 of Plaintiffs' First Amended Complaint.
70. Defendants deny the allegations in paragraph 70 of Plaintiffs' First Amended Complaint.
71. Defendants deny the allegations in paragraph 71 of Plaintiffs' First Amended Complaint.
72. Defendants deny the allegations in paragraph 72 of Plaintiffs' First Amended Complaint.
73. Defendants deny the allegations in paragraph 73 of Plaintiffs' First Amended Complaint.
74. Defendants deny the allegations in paragraph 74 of Plaintiffs' First Amended Complaint.
75. Defendants deny the allegations in paragraph 75 of Plaintiffs' First Amended Complaint.
76. Defendants deny the allegations in paragraph 76 of Plaintiffs' First Amended Complaint.
77. Defendants deny the allegations in paragraph 77 of Plaintiffs' First Amended Complaint.
78. Defendants admit the allegations in paragraph 78 of Plaintiffs' First Amended Complaint.
79. Defendants deny the allegations in paragraph 79 of Plaintiffs' First Amended Complaint.
80. Defendants admit the allegations in paragraph 80 of Plaintiffs' First Amended Complaint.
81. Defendants deny the allegations in paragraph 81 of Plaintiffs' First Amended Complaint.

Complaint.

82. Defendants deny the allegations in paragraph 82 of Plaintiffs' First Amended Complaint.

83. Defendants deny the allegations in paragraph 83 of Plaintiffs' First Amended Complaint.

84. Defendants deny the allegations in paragraph 84 of Plaintiffs' First Amended Complaint.

85. Defendants deny the allegations in paragraph 85 of Plaintiffs' First Amended Complaint.

86. Defendants deny the allegations in paragraph 86 of Plaintiffs' First Amended Complaint.

87. Defendants deny the allegations in paragraph 87 of Plaintiffs' First Amended Complaint.

88. Defendants deny the allegations in paragraph 88 of Plaintiffs' First Amended Complaint.

89. Defendants deny the allegations in paragraph 89 of Plaintiffs' First Amended Complaint.

90. Defendants deny the allegations in paragraph 90 of Plaintiffs' First Amended Complaint.

91. Defendants deny the allegations in paragraph 91 of Plaintiffs' First Amended Complaint.

92. Defendants deny the allegations in paragraph 92 of Plaintiffs' First Amended Complaint.

93. Defendants deny the allegations in paragraph 93 of Plaintiffs' First Amended Complaint.

94. Defendants deny the allegations in paragraph 94 of Plaintiffs' First Amended Complaint.
95. Defendants deny the allegations in paragraph 95 of Plaintiffs' First Amended Complaint.
96. Defendants deny the allegations in paragraph 96 of Plaintiffs' First Amended Complaint.
97. Defendants deny the allegations in paragraph 97 of Plaintiffs' First Amended Complaint.
98. Defendants deny the allegations in paragraph 98 of Plaintiffs' First Amended Complaint.
99. Defendants deny the allegations in paragraph 99 of Plaintiffs' First Amended Complaint.
100. Defendants deny the allegations in paragraph 100 of Plaintiffs' First Amended Complaint.
101. Defendants deny the allegations in paragraph 101 of Plaintiffs' First Amended Complaint.
102. Defendants deny the allegations in paragraph 102 of Plaintiffs' First Amended Complaint.
103. Defendants deny the allegations in paragraph 103 of Plaintiffs' First Amended Complaint.
104. Defendants deny the allegations in paragraph 104 of Plaintiffs' First Amended Complaint.
105. Defendants deny the allegations in paragraph 105 of Plaintiffs' First Amended Complaint.
106. Defendants deny the allegations in paragraph 106 of Plaintiffs' First Amended Complaint.

Complaint.

107. Defendants deny the allegations in paragraph 107 of Plaintiffs' First Amended Complaint.

108. Defendants deny the allegations in paragraph 108 of Plaintiffs' First Amended Complaint.

109. Defendants deny the allegations in paragraph 109 of Plaintiffs' First Amended Complaint.

110. Defendants deny the allegations in paragraph 110 of Plaintiffs' First Amended Complaint.

111. Defendants deny the allegations in paragraph 111 of Plaintiffs' First Amended Complaint.

112. Defendants deny the allegations in paragraph 112 of Plaintiffs' First Amended Complaint.

113. Defendants deny the allegations in paragraph 113 of Plaintiffs' First Amended Complaint.

114. Defendants deny the allegations in paragraph 114 of Plaintiffs' First Amended Complaint.

115. Defendants deny the allegations in paragraph 115 of Plaintiffs' First Amended Complaint.

116. Defendants deny the allegations in paragraph 116 of Plaintiffs' First Amended Complaint.

117. Defendants deny the allegations in paragraph 117 of Plaintiffs' First Amended Complaint.

118. Defendants deny the allegations in paragraph 118 of Plaintiffs' First Amended Complaint.

119. Defendants deny the allegations in paragraph 119 of Plaintiffs' First Amended Complaint.
120. Defendants deny the allegations in paragraph 120 of Plaintiffs' First Amended Complaint.
121. Defendants deny the allegations in paragraph 121 of Plaintiffs' First Amended Complaint.
122. Defendants deny the allegations in paragraph 122 of Plaintiffs' First Amended Complaint.
123. Defendants deny the allegations in paragraph 123 of Plaintiffs' First Amended Complaint.
124. Defendants deny the allegations in paragraph 124 of Plaintiffs' First Amended Complaint.
125. Defendants deny the allegations in paragraph 125 of Plaintiffs' First Amended Complaint.
126. Defendants deny the allegations in paragraph 126 of Plaintiffs' First Amended Complaint.
127. Defendants deny the allegations in paragraph 127 of Plaintiffs' First Amended Complaint.
128. Defendants deny the allegations in paragraph 128 of Plaintiffs' First Amended Complaint.
129. Defendants deny the allegations in paragraph 129 of Plaintiffs' First Amended Complaint.
130. Defendants deny the allegations in paragraph 130 of Plaintiffs' First Amended Complaint.
131. Defendants deny the allegations in paragraph 131 of Plaintiffs' First Amended Complaint.

Complaint.

132 Defendants deny the allegations in paragraph 132 of Plaintiffs' First Amended Complaint.

133 Defendants deny the allegations in paragraph 133 of Plaintiffs' First Amended Complaint.

134 Defendants deny the allegations in paragraph 134 of Plaintiffs' First Amended Complaint.

135 Defendants deny the allegations in paragraph 135 of Plaintiffs' First Amended Complaint.

136 Defendants deny the allegations in paragraph 136 of Plaintiffs' First Amended Complaint.

137. Defendants deny the allegations in paragraph 137 of Plaintiffs' First Amended Complaint.

138. Defendants deny the allegations in paragraph 138 of Plaintiffs' First Amended Complaint.

139. Defendants deny the allegations in paragraph 139 of Plaintiffs' First Amended Complaint.

140. Defendants deny the allegations in paragraph 140 of Plaintiffs' First Amended Complaint.

141. Defendants deny the allegations in paragraph 141 of Plaintiffs' First Amended Complaint.

142. Defendants deny the allegations in paragraph 142 of Plaintiffs' First Amended Complaint.

143. Defendants deny the allegations in paragraph 143 of Plaintiffs' First Amended Complaint.

144. Defendants deny the allegations in paragraph 144 of Plaintiffs' First Amended Complaint.

145. Defendants deny the allegations in paragraph 145 of Plaintiffs' First Amended Complaint.

146. Defendants deny the allegations in paragraph 146 of Plaintiffs' First Amended Complaint.

AFFIRMATIVE DEFENSES

Defendants assert the defense of immunity, both absolute and qualified, for all allegations alleged in Plaintiffs' First Amended Complaint.

Defendants affirmatively plead that Plaintiffs' damages, if any, were caused as a result of their own action or inactions.

Defendants affirmatively plead that they are employees of a governmental entity and as the entity's employees, are protected by official immunity, as all actions or inactions were performed as discretionary duties in good faith and within the scope of their authority at the time Plaintiffs' claims arose.

Defendants affirmatively plead that there is no official policy or custom of Martin County adopted by Martin County that resulted in any damages to the Plaintiff.

Defendants affirmatively plead the applicable Statute of Limitations pursuant to Texas law as Plaintiffs are time barred to bring before the Court.

Defendants affirmatively plead that the Plaintiffs have failed to state the claim upon which relief can be granted.

Defendants affirmatively plead the election of remedies of Section 101.106 of the Texas Tort Claims Act which bars any suit for recovery against an individual employee of a governmental unit regarding the same subject matter.

Defendants seek recover of attorneys' fees and costs as provided by law.

WHEREFORE, PREMISES CONSIDERED, Defendants pray that Plaintiffs take nothing against these Defendants and that Defendants be dismissed and recover all costs incurred, including attorney's fees and such other, further relieved to which they may show themselves justly entitled.

Respectfully submitted,

/s/ Denis Dennis
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State Bar No. 05655566
ddennis@kmdfirm.com

OF

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ATTORNEYS FOR DEFENDANTS

CERTIFICATE OF SERVICE

I certify that on the 1st day of August, 2025, a true and correct copy of the above and foregoing was sent to the Plaintiffs' counsel via efilng.

/s/ Denis Dennis
DENIS DENNIS